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SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL  
AND TECHNOLOGICAL ADVICE

Fourteenth meeting  
Nairobi, 10-21 May 2010  
Item 4.1.2

**AGRICULTURAL BIODIVERSITY - BIOFUELS AND BIODIVERSITY:  
CONSIDERATION OF WAYS AND MEANS TO PROMOTE THE POSITIVE AND  
MINIMIZE THE NEGATIVE IMPACTS OF THE PRODUCTION AND USE OF  
BIOFUELS ON BIODIVERSITY**

*Draft recommendation submitted by the Co-Chair of Working Group I*

The Subsidiary Body on Scientific, Technical and Technological Advice *recommends* that the Conference of the Parties adopt a recommendation along the following lines:

*The Conference of the Parties,*

*Reaffirming* the need to apply the precautionary approach in accordance with the preamble of Convention on Biological Diversity with regards to the production and use of biofuels (decision IX/2 paragraph 3 (c)(i));

*[Recognizing* that given the scientific uncertainty that exists, and the recent information that has emerged, significant concern surrounds the potential intended and unintended impacts of biofuels on biodiversity and impacts on biodiversity that would affect socio-economic conditions and food and energy security resulting from the production and use of biofuels [as well as impacts on land security] and on indigenous and local communities;]

*[Also recognizing* the need for improved monitoring, scientific assessment, open and transparent consultation, with the full and effective participation of indigenous and local communities, and information flow are crucial for the continuing improvement of policy guidance, and decision making, to promote the positive and minimize or avoid the negative impacts of biofuels on biodiversity and impacts on biodiversity that would affect socio-economic conditions and food and energy security resulting from the production and use of biofuels [as well as impacts on land security];]

*[Further recognizing* the threats to biodiversity [from the use of invasive alien species in biofuels production] [if species used in biofuel production become invasive] and *urges* Parties and other

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Governments to apply the precautionary approach following the guiding principles on invasive alien species contained in the Annex to decision VI/23<sup>1</sup>;

1. *Expresses its gratitude* to the European Union for its financial contribution towards the regional workshops for Latin America and the Caribbean, and Asia and the Pacific, and to the Government of Germany for the regional workshop for Africa, on ways and means to promote the positive and minimize the negative impacts of biofuel production and use on biodiversity, to the Governments of Brazil, Thailand and Ghana for hosting these workshops and to the Government of Brazil for providing Spanish interpretation to facilitate active participation of the entire region;

2. *Invites* Parties, other Governments and relevant organizations and stakeholders to examine, and as appropriate, to further develop, based on scientific assessments on the impacts of biofuel production and use, and with the full and effective participation of indigenous and local communities, voluntary conceptual frameworks for ways and means to minimize or avoid the negative impacts and maximize the positive impacts of biofuel production and use developed by the three regional workshops; in further developing such voluntary conceptual frameworks, an effort should be made to focus the framework on the impacts of biofuel on biodiversity, and impacts on biodiversity that would affect socio-economic conditions and food and energy security resulting from the production and use of biofuels, as decided by the ninth meeting of the Convention of the Parties in decision IX/2;

[3. *Urges* Parties and other Governments, in collaboration with indigenous and local communities and relevant organizations, when carrying out scientific assessments of the impacts of biofuel production and use to ensure that land rights, as appropriate and subject to national legislation [and applicable to international obligations], as well as the sustainable agricultural practices and food security of indigenous and local communities, are respected and promoted, and that steps are taken to redress any negative impacts on these communities by the production and use of biofuels;]

4.

#### Option A

[*Requests* the Executive Secretary, subject to the availability of financial resources, to:

(a) Compile [and analyse] information on tools [and develop a toolkit] for voluntary use consisting of available standards and methodologies to assess direct and indirect effects and impacts on biodiversity of the production and use of biofuels, in their full life cycle as compared to that of other types of fuels, and impacts on biodiversity that would affect socio-economic conditions and food and energy security resulting from the production and use of biofuels [as well as impacts on land security];

(b) Carry out this work [taking into account the work of] [in collaboration with] relevant partner organizations and processes, such as, the Food and Agriculture Organization of the United Nations, the International Panel for Sustainable Resource Management, the Roundtable on Sustainable Biofuels, the Global Bio-Energy Partnership and other relevant organisations, in order to reduce duplication of effort. This work should [build on] [take into account] the outcomes of the regional workshops, and build on relevant decisions taken and guidance developed by the Convention on Biological Diversity.

(c) Disseminate the tools [and the toolkit] through the clearing-house mechanism and other relevant means in order to assist Parties, the business sector and relevant stakeholders in applying ways

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<sup>1</sup> One representative entered a formal objection during the process leading to the adoption of this decision and underlined that he did not believe that the Conference of the Parties could legitimately adopt a motion or a text with a formal objection in place. A few representatives expressed reservations regarding the procedure leading to the adoption of this decision (see UNEP/CBD/COP/6/20, paras. 294-324).

and means to promote the positive and minimize or avoid the negative impacts of biofuel production and use on the conservation and sustainable use of biodiversity and impacts on biodiversity that would affect socio-economic conditions and food and energy security resulting from the production and use of biofuels [as well as impacts on land security];]

### Option B

[*Requests* the Executive Secretary, subject to the availability of resources, to compile, organize and disseminate information on tools for voluntary use, as identified in the regional workshops for Latin America and the Caribbean, Asia and the Pacific, and Africa, on ways and means to promote the positive and minimize the negative impact of biofuel production and use on biodiversity and impacts on biodiversity that would affect socio-economic conditions and food and energy security resulting from the production and use of biofuels, taking into account the work of other competent partner organizations and relevant processes such as, *inter alia*, the Food and Agriculture Organization of the United Nations, the International Panel for Sustainable Resource Management, the Roundtable on Sustainable Biofuels, the Global Bio-Energy Partnership, and other relevant organizations, so as to avoid duplication and recognizing the specific role of the Convention on Biological Diversity in biodiversity-related aspects of the sustainable production and use of biofuels and disseminate through the clearing-house mechanism and relevant means;]

5. *Requests* the Executive Secretary to compile information on gaps in available standards and methodologies identified in the work undertaken in paragraph 4 and bring it to the attention of relevant organizations and processes and report on progress to a meeting of the Subsidiary Body on Scientific, Technical and Technological Advice prior to the eleventh meeting of the Conference of the Parties;

[6. *Requests* the Executive Secretary, subject to availability of resources, to contribute to ongoing work of relevant partner organizations and processes, such as the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, the Organisation for Economic Co-operation and Development, the International Standards Organization, the Asia Pacific Economic Cooperation and the International Energy Agency, and roundtables, such as the Round Table on Sustainable Biofuels and the Global Bio-Energy Partnership, and other relevant organizations, consistent with the mandate and decision IX/2 of the Convention on Biological Diversity, to assist in their [ongoing work] [development of frameworks [and policy options]] to promote the positive and minimise the negative impacts of [the production and use of biofuels] [biomass for energy production and use] on biodiversity, taking into account the [precautionary approach and the] results of ongoing thorough scientific assessment of such impacts, bearing in mind the need to add maximum value, avoid duplication and to provide clarity to these processes; and *invites* Parties, other Governments and relevant organizations to submit relevant information, including on activities identified in paragraphs 9, 11, 17), to support this activity, [and *requests* the Executive Secretary to report on progress on this activity [in the form of an information note] to a meeting of the Subsidiary Body on Scientific, Technical and Technological Advice prior to the eleventh meeting of the Conference of the Parties]; ]

7. *Invites* Parties, other Governments and relevant organisations to submit to the Executive Secretary experiences and results from assessments of biodiversity and of the impacts on biodiversity that would affect socio-economic conditions and food and energy security resulting from the production and use of biofuels and *requests* the Executive Secretary to make such experiences and results available to Parties through the clearing-house mechanism;

8. *Recognizes* the need to include ways and means to promote the positive and minimize or avoid the negative impacts of biofuel production and use in national plans, such as national biodiversity strategies and action plans (NBSAPs) and national development plans, and *invites* Parties, as appropriate,

to report on their experiences in minimizing or avoiding the negative and maximizing the positive impacts of biofuels as part of their fifth national reports;

9. *Invites* Parties to develop and implement policies that promote the positive and minimize or avoid the negative impacts on biological diversity, in particular by assessing both direct and indirect effects and impacts on biodiversity of the production and use of biofuels in their full life cycle as compared to that of other types of fuels, and the impacts on biodiversity that would affect related socio-economic conditions and food and energy security resulting from the production and use of biofuels;

10. *Invites* Parties, acknowledging different national conditions, other Governments and relevant organizations:

[(a) To [develop inventories and] undertake as appropriate adequate bio-conservation measures of areas of high biodiversity value [, critical ecosystems,] [and areas important to indigenous and local communities, such as no-go areas], to assist policy-makers in minimizing or avoiding the negative impacts of biofuel production on biodiversity [and to assess [and identify] areas and ecosystems [and low biodiversity value land previously used for agriculture, where agriculture has since declined or ceased and become degraded as a result,] that could be used in a sustainable way in the production of biofuels;]]

(b) To elaborate supportive measures to promote the positive and minimize or avoid the negative impacts of the production and use of biofuels on biodiversity and impacts on biodiversity that would affect socio-economic conditions and food and energy security resulting from the production and use of biofuels, as a contribution to the achievement of the revised Strategic Plan of the Convention beyond 2010;

11. *Encourages* Parties and other Governments to develop and implement land-use and water [policies] [strategies], acknowledging different national conditions, that promote the positive and minimize or avoid the negative impacts on biological diversity, in particular by addressing direct and indirect land-use and water-use changes affecting, amongst others, areas of high value for biodiversity and areas of cultural, religious and heritage interest, as part of their policy frameworks for the sustainable production and use of biofuels [and bearing in mind effects on ecosystem services in a landscape perspective];

[12. *Urges* donor countries and agencies and relevant organizations to provide technical and financial support to developing countries, in particular least developed countries and small island developing States, and countries with economies in transition, to develop policy frameworks for the sustainable production and use of biofuels including land-use and water policies that promote the positive and minimize or avoid the negative impacts on biological diversity and impacts on biodiversity that would affect socio-economic conditions and food and energy security resulting from the production and use of biofuels, and to perform their impacts assessments of biofuel production and use at the national level;]

13. *Encourages* Parties and other Governments to develop and use environmentally-sound technologies, and support the development of research programmes and undertake impact assessments, which promote the positive and minimise or avoid the negative impacts of biofuel production and use on biodiversity and impacts on biodiversity that would affect related socio-economic conditions and food and energy security resulting from the production and use of biofuels;

[14. *Decides to convene an ad-hoc technical expert group on synthetic biotechnologies and other new technologies that are used or projected to be used in the next generation of biofuels to assess their impacts on biodiversity and related livelihoods.*]<sup>2</sup>

[15. *Invites Parties, other Governments and relevant organizations to address both direct and indirect impacts that the production and use of biofuels might have on biodiversity, in particular inland waters biodiversity, on the services they provide and on indigenous and local communities;*]

[16. *Urges Parties and other Governments, in accordance with the precautionary approach, to ensure that living organisms produced by synthetic biology are not released into the environment until there is an adequate scientific basis on which to justify such activities and due consideration of the associated risks for the environment and biodiversity, and the associated socio-economic risks, are considered.*]

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<sup>2</sup> This paragraph is in square brackets due to (i) financial implications, and (ii) a lack of consensus from the meeting on the need for the ad-hoc technical expert group and its mandate.